UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,921	09/24/2001	Didier Raoult		3015

25944 7590 06/23/2008

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER	
BASKAR, PADMAVATHI	
ART UNIT	**PAPER NUMBER**
1645	

MAIL DATE	DELIVERY MODE
06/23/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Supplemental Notice of Allowability	Application No. 09/936,921	Applicant(s) RAOULT ET AL.	
	Examiner PADMA v. BASKAR	Art Unit 1645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *1/18/08*.

2. ☒ The allowed claim(s) is/are *1, 30-32, 36-45, 66, 67, 63, 68, 69, 46-55, 57-62, 64, 65, 11, 15, 10, 25 and 29 and have been renumbered as 1-42 respectively*.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☒ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Interview Summary	Application No.	Applicant(s)	
	09/936,921	RAOULT ET AL.	
	Examiner	Art Unit	
	PADMA v. BASKAR	1645	

All participants (applicant, applicant's representative, PTO personnel):

(1) *PADMA v. BASKAR*. (3)_____.

(2) *Leana Levin*. (4)_____.

Date of Interview: *11 April 2008*.

Type: a)☒ Telephonic b)☐ Video Conference
c)☐ Personal [copy given to: 1)☐ applicant 2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes e)☐ No.
If Yes, brief description: _____.

Claim(s) discussed: _____.

Identification of prior art discussed: _____.

Agreement with respect to the claims f)☒ was reached. g)☐ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *Applicant's representative agreed to the amendments to the claims as set forth in the attached examiner's amendment, and have accordingly been found to be condition for allowance*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Padma v Baskar/
Examiner, Art Unit 1645
Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)
In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:
- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:
1) A brief description of the nature of any exhibit shown or any demonstration conducted,
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
   (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

DETAILED ACTION

This supplemental is in response to applicant's request for correction of typographical errors made in notice of allowability including claim 56, which is canceled and typographical errors made in the courtesy copy of allowed claims, 49 and 61 including "A" before "The". Corrections have been made to the action.

1. The appeal brief filed on 1/18/08 is entered.

Status of Claims

2, Claims 1,10,11,15,25, 29-32 and 35-69 are pending.

Claims 1, 10, 11, 15, 25, 29 , 30-32, 35-45, 63 and 66-69 are under examination.

Claims 46-62, 64 and 65 are withdrawn from consideration as drawn to a non elected invention.

Examiner's amendment

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Leana Levin on 4/11/08. The application has been amended as follows:

Claims 35 and 56 are canceled.

Claim 1. A culture comprising a culture medium and a bacterium responsible for Whipple's disease, said bacterium being isolated and established in culture in a cell such that the bacterium can reproducibly and detectably multiply over time in the culture medium for at least 72 days as detected by inverted microscopy, wherein the bacterium is *Tropheryma whippelii.*

Claim 11. A method for the in vitro diagnosis of diseases associated with infections caused by Tropheryma whippelii, comprising contacting serum or any other biological fluid of a patient

with a the culture according to claim 1 or a *Tropheryma whippelii* bacterium obtained from said culture, and detecting an immunological reaction.

Claim 29. ~~A~~ The method for the in vitro serological diagnosis according to claim 25, comprising:

- depositing a solution containing said antigen in or on a solid support;
- introducing serum or any other biological fluid into or onto said support;
- introducing a solution of a labeled antibody specific for a human immunoglobulin, which recognizes said antigen, into or onto the support;
- observing an incubation period;
-rinsing the solid support; and
-detecting an immunological reaction.

Claim 30. ~~A~~ The culture according to claim 1, wherein said culture is not a cell culture in monocyte cells.

Claim 31. ~~A~~ The culture according to claim 1, wherein said culture is a cell culture in immortalized cells other than monocyte cells.

Claim 32. ~~A~~ The culture according to claim 31, wherein the immortalized cells are fibroblast cells.

Claim 36. ~~A~~ The culture according to claim ~~35~~ 1 , wherein the cell has a dividing time greater than the doubling time of the bacterium.

Claim 37. ~~A~~ The culture according to claim 36, wherein the cell is a fibroblast cell.

Claim 38. ~~A~~ The culture according to claim 1, wherein the bacterium is capable of reproducibly and detectably multiplying over time in said culture medium through successive subcultures.

Claim 39. ~~A~~ The culture according to claim 1, wherein the bacterium has been established in culture through successive subcultures.

Claim 40. ~~A~~ The culture according to claim 1, wherein the bacterium is of the *Tropheryma whippelii* bacterium strain deposited in the CNCM of the Institut Pasteur under Deposit No. I-2202.

Claim 41. ~~A~~ The culture according to claim 1, wherein the bacterium comprises a rpoB gene comprising a partial sequence amplifiable by primers of a sequence identical to SEQ ID NO:4 or 5.

Claim 42. ~~A~~ The culture according to claim 41, wherein said culture medium does not comprise monocyte cells.

Claim 43. ~~A~~ The culture according to claim 42, wherein the bacterium is of the *Tropheryma whippelii* bacterium strain deposited in the CNCM of the Institut Pasteur under Deposit No. I-2202.

Claim 44. ~~A~~ The culture according to claim 43, wherein the bacterium is in a cell having a dividing time greater than the doubling time of the bacterium, and the cell is in the culture medium.

Claim 45. ~~A~~ The culture according to claim 44, wherein the cell is a fibroblast cell.

Claim 46. A process of culturing *Tropheryma whippelii* bacteria responsible for Whipple's disease, comprising isolating and establishing said bacteria in cells in a culture medium such that said bacteria are capable of reproducibly and detectably multiplying over time in the culture medium for at least 72 days as detected by inverted microscopy.

Claim 47. ~~A~~ The process according to claim 46, wherein said bacteria have a doubling time of 18 days and are in cells having a dividing time greater than 18 days, and the cells are in the culture medium.

Claim 48. ~~A~~ The process according to claim 46, wherein said bacteria are in cells in the culture medium.

Claim 49. ~~A~~ The A process according to claim 48, wherein said cells have a dividing time greater than the doubling time of said bacteria.

Claim 50. ~~A~~ The process according to claim 49, wherein said doubling time is 18 days.

Claim 51. ~~A~~ The process according to claim 48, wherein said cells are not monocyte cells.

Claim 52. ~~A~~ The process according to claim 48, wherein said cells are fibroblast cells.

Claim 53. ~~A~~ The process according to claim 46, wherein the establishing step comprises establishing said bacteria in said culture medium through successive subcultures.

Claim 54. ~~A~~ The process according to claim 46, wherein the bacteria comprise a rpoB gene comprising a partial sequence amplifiable by primers of a sequence identical to SEQ ID NO:4 or 5.

Claim 55. ~~A~~ The process according to claim 46, wherein the bacteria are of the *Tropheryma whippelii* bacterium strain deposited in the CNCM of the Institut Pasteur under Deposit No. I-2202.

Claim 57. ~~A~~ The process according to claim ~~56~~ 46, wherein said cells in the culture medium have a dividing time greater than the doubling time of said bacteria.

Claim 58. ~~A~~ The process according to claim 57, comprising establishing said bacteria in said culture medium through successive subcultures.

Claim 59. ~~A~~ The process according to claim 58, wherein the cells in the culture medium are fibroblast cells.

Claim 60. ~~A~~ The process according to claim 59, wherein the bacteria are of the *Tropheryma whippelii* bacterium strain deposited in the CNCM of the Institut Pasteur under Deposit No. I-2202.

Claim 61. ~~A~~ The A process according to claim 46, wherein said culture does not comprise monocyte cells.

Claim 62. ~~A~~ The process according to claim 46, further comprising maintaining the bacteria in culture for at least 72 days.

Claim 63. A culture comprising a culture medium and a bacterium responsible for Whipple's disease, said bacterium being isolated and established in culture in a cell such that the bacterium can reproducibly and detectably multiply over time in the culture medium for at least 72 days through successive subcultures, as detected by inverted microscopy, wherein the bacterium is of the *Tropheryma whippelii* bacterium strain deposited in the CNCM of the Institut Pasteur under Deposit No. I-2202, wherein the bacterium comprises a rpoB gene comprising a partial sequence amplifiable by primers of a sequence identical to SEQ ID NO:4 or 5.

Claim 64. A process of culturing *Tropheryma whippelii* bacteria responsible for Whipple's disease, comprising isolating and establishing said bacteria in cells in a culture medium such that said bacteria are capable of reproducibly and detectably multiplying over time in the culture medium for at least 72 days through successive subcultures, as detected by inverted microscopy, wherein the bacteria comprise a rpoB gene comprising a partial sequence amplifiable by primers of a sequence identical to SEQ ID NO:4 or 5, and wherein the bacteria are of the *Tropheryma whippelii* bacterium strain deposited in the CNCM of the Institut Pasteur under Deposit No. I-2202.

Claim 65. ~~A~~ The process according to claim 64, further comprising maintaining the bacteria in culture for at least 72 days.

Claim 66. ~~A~~ The culture according to claim 1, wherein the bacterium is capable of reproducibly and detectibly multiplying over time in a culture medium comprising fibroblast cells.

Claim 67. ~~A~~ The A culture according to claim 1, wherein the bacterium can reproducibly and detectably multiply over time in the culture medium for 72 days.

4. In view of amendment to the claims and arguments along with Declarations of record , all the rejections of record are withdrawn.

Remarks

5. Claims are drawn to a novel established culture that comprises a culture medium , cells and bacteria *Tropheryma whippelii* .

As the product is found allowable, withdrawn claims 46-62, 64 and 65 , drawn to a process of culturing *Tropheryma whippelii* have been rejoined . Therefore, the restriction requirement is withdrawn. Further, note that the prohibition against double patenting rejections of 35 U.S.C. 121 does not apply where the restriction requirement is withdrawn by the examiner before the patent issues. See MPEP 804.01.

6. Claims 1, 30-32, 36-45, 66, 67, 63, 68, 69, 46-62, 64, 65, 11, 15, 10, 25 and 29 are allowed and have been renumbered as 1-42 respectively.

Conclusion

7. Papers related to this application may be submitted to Group 1600, AU 1645 by facsimile transmission. Papers should be transmitted via the PTO Fax Center, which receives transmissions 24 hours a day and 7 days a week. The transmission of such papers by facsimile must conform to the notice published in the Official Gazette, 1096 OG 30, November 15, 1989. The Right Fax number is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PMR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PMR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PMR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Padma Baskar Ph.D., whose telephone number is ((571) 272-0853. A message may be left on the Examiner's voice mail system. The Examiner can normally be reached on Monday to Friday from 6.30 a.m. to 4.00 p.m. except First Friday of each bi-week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shanon Foley can be reached on (571) 272-0898.

/Padma v Baskar/
Examiner, Art Unit 1645

ALLOWED CLAIMS

Claim 1. A culture comprising a culture medium and a bacterium responsible for Whipple's disease, said bacterium being isolated and established in culture in a cell such that the bacterium can reproducibly and detectably multiply over time in the culture medium for at least 72 days as detected by inverted microscopy, wherein the bacterium is *Tropheryma whippelii.*

Claim 10. An antigen isolated from the *Tropheryma whippelii* bacterium in the culture according to claim 1, wherein said antigen is a protein of 200 kD determined by polyacrylamide gel electrophoresis using the Western blotting technique, which reacts with a specific monoclonal antibody directed against the bacterium *Tropheryma whippelii* responsible for Whipple's disease or an antigen of said bacterium, said antibody being produced by a hybridoma deposited in the CNCM of the Institut Pasteur under the Deposit No. I-2411.

Claim 11. A method for the in vitro diagnosis of diseases associated with infections caused by Tropheryma whippelii, comprising contacting serum or any other biological fluid of a patient with a the culture according to claim 1 or a *Tropheryma whippelii* bacterium obtained from said culture, and detecting an immunological reaction.

Claim 15. The method for the in vitro diagnosis according to claim 11, comprising:

- depositing a solution containing said *Tropheryma whippelii* bacterium in or on a solid support;

-introducing serum or any other biological fluid into or onto said support;

- introducing a solution of a labeled antibody specific for a human immunoglobulin, which recognizes said bacterium, into or onto the support;

-observing an incubation period;

- rinsing the solid support; and

-detecting an immunological reaction.

Claim 25. The method for the in vitro diagnosis of diseases associated with infections caused by Tropheryma whippelii, comprising contacting serum or any other biological fluid of a patient with the antigen of claim 10, and detecting an immunological reaction.

Claim 29. The method for the in vitro serological diagnosis according to claim 25, comprising:

- depositing a solution containing said antigen in or on a solid support;
- introducing serum or any other biological fluid into or onto said support;
- introducing a solution of a labeled antibody specific for a human immunoglobulin, which recognizes said antigen, into or onto the support;
- observing an incubation period;
-rinsing the solid support; and
-detecting an immunological reaction.

Claim 30. The culture according to claim 1, wherein said culture is not a cell culture in monocyte cells.

Claim 31. The culture according to claim 1, wherein said culture is a cell culture in immortalized cells other than monocyte cells.

Claim 32. The culture according to claim 31, wherein the immortalized cells are fibroblast cells.

Claim 36. The culture according to claim ~~35~~ 1 , wherein the cell has a dividing time greater than the doubling time of the bacterium.

Claim 37. The culture according to claim 36, wherein the cell is a fibroblast cell.

Claim 38. The culture according to claim 1, wherein the bacterium is capable of reproducibly and detectably multiplying over time in said culture medium through successive subcultures.

Claim 39. The culture according to claim 1, wherein the bacterium has been established in culture through successive subcultures.

Claim 40. The culture according to claim 1, wherein the bacterium is of the *Tropheryma whippelii* bacterium strain deposited in the CNCM of the Institut Pasteur under Deposit No. I-2202.

Claim 41. The culture according to claim 1, wherein the bacterium comprises a rpoB gene comprising a partial sequence amplifiable by primers of a sequence identical to SEQ ID NO:4 or 5.

Claim 42. The culture according to claim 41, wherein said culture medium does not comprise monocyte cells.

Claim 43. The culture according to claim 42, wherein the bacterium is of the *Tropheryma whippelii* bacterium strain deposited in the CNCM of the Institut Pasteur under Deposit No. I-2202.

Claim 44. The culture according to claim 43, wherein the bacterium is in a cell having a dividing time greater than the doubling time of the bacterium, and the cell is in the culture medium.

Claim 45. The culture according to claim 44, wherein the cell is a fibroblast cell.

Claim 46. A process of culturing *Tropheryma whippelii* bacteria responsible for Whipple's disease, comprising isolating and establishing said bacteria in cells in a culture medium such that said bacteria are capable of reproducibly and detectably multiplying over time in the culture medium for at least 72 days as detected by inverted microscopy.

Claim 47. The process according to claim 46, wherein said bacteria have a doubling time of 18 days and are in cells having a dividing time greater than 18 days, and the cells are in the culture medium.

Claim 48. The process according to claim 46, wherein said bacteria are in cells in the culture medium.

Claim 49. The process according to claim 48, wherein said cells have a dividing time greater than the doubling time of said bacteria.

Claim 50. The process according to claim 49, wherein said doubling time is 18 days.

Claim 51. The process according to claim 48, wherein said cells are not monocyte cells.

Claim 52. The process according to claim 48, wherein said cells are fibroblast cells.

Claim 53. The process according to claim 46, wherein the establishing step comprises establishing said bacteria in said culture medium through successive subcultures.

Claim 54. The process according to claim 46, wherein the bacteria comprise a rpoB gene comprising a partial sequence amplifiable by primers of a sequence identical to SEQ ID NO:4 or 5.

Claim 55. The process according to claim 46, wherein the bacteria are of the *Tropheryma whippelii* bacterium strain deposited in the CNCM of the Institut Pasteur under Deposit No. I-2202.

Claim 57. The process according to claim 46, wherein said cells in the culture medium have a dividing time greater than the doubling time of said bacteria.

Claim 58. The process according to claim 57, comprising establishing said bacteria in said culture medium through successive subcultures.

Claim 59. The process according to claim 58, wherein the cells in the culture medium are fibroblast cells.

Claim 60. The process according to claim 59, wherein the bacteria are of the *Tropheryma whippelii* bacterium strain deposited in the CNCM of the Institut Pasteur under Deposit No. I-2202.

Claim 61. The process according to claim 46, wherein said culture does not comprise monocyte cells.

Claim 62. The process according to claim 46, further comprising maintaining the bacteria in culture for at least 72 days.

Claim 63. A culture comprising a culture medium and a bacterium responsible for Whipple's disease, said bacterium being isolated and established in culture in a cell such that the bacterium can reproducibly and detectably multiply over time in the culture medium for at least 72 days through successive subcultures, as detected by inverted microscopy, wherein the bacterium is of the *Tropheryma whippelii* bacterium strain deposited in the CNCM of the Institut Pasteur under Deposit No. I-2202, wherein the bacterium comprises a rpoB gene comprising a partial sequence amplifiable by primers of a sequence identical to SEQ ID NO:4 or 5.

Claim 64. A process of culturing *Tropheryma whippelii* bacteria responsible for Whipple's disease, comprising isolating and establishing said bacteria in cells in a culture medium such that said bacteria are capable of reproducibly and detectably multiplying over time in the culture medium for at least 72 days through successive subcultures, as detected by inverted microscopy, wherein the bacteria comprise a rpoB gene comprising a partial sequence amplifiable by primers of a sequence identical to SEQ ID NO:4 or 5, and wherein the bacteria are of the *Tropheryma whippelii* bacterium strain deposited in the CNCM of the Institut Pasteur under Deposit No. I-2202.

Claim 65. The process according to claim 64, further comprising maintaining the bacteria in culture for at least 72 days.

Claim 66. The culture according to claim 1, wherein the bacterium is capable of reproducibly and detectibly multiplying over time in a culture medium comprising fibroblast cells.

Claim 67. The A culture according to claim 1, wherein the bacterium can reproducibly and detectably multiply over time in the culture medium for 72 days.

Claim 68. A culture comprising a culture medium and a bacterium responsible for Whipple's disease, said bacterium being isolated and established in culture in a cell in the culture medium, wherein the bacterium is *Tropheryma whippelii*, and said cell has a dividing time greater than the doubling time of the bacterium.

Claim 69. A culture comprising a culture medium and a bacterium responsible for Whipple's disease, said bacterium being isolated and established in culture in a cell in the culture medium, wherein the bacterium is *Tropheryma whippelii*, and the cell is selected such that it does not multiply so rapidly relative to the growth of the bacterium as to cause a dilution effect of the bacterium.

/Shanon A. Foley/
Supervisory Patent Examiner, Art Unit 1645

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, $300

AN EQUAL OPPORTUNITY EMPLOYER